

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
v.)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter is before the court on the following motions:

1. Defendant's motion to seal Exhibits 1, 16, and 17 to the Declaration of Robert J. Scheffel submitted in support of Defendant's Motion to Compel Discovery on the Adama/CSI Azoxystrobin [DE #479]; and

2. Plaintiff's motion to seal portions of Defendant's Motion to Compel Discovery on the Adama/CSI Azoxystrobin [DE #516].

The parties seek to seal the filings on the ground they contain confidential business and technical information concerning the manufacture, production, and sale of azoxystrobin; information concerning third parties' identities; and business relationships, all of which constitute trade secrets. (Mot. Seal [DE #479] at 2-3; Mot. Seal [DE #516] at 1.) Where appropriate, the parties have filed proposed redacted versions of the documents, omitting the portions they contend should not be available to the public.

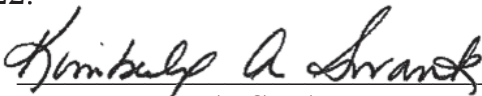
For the reasons set forth in the parties' motion and supporting memoranda, the court finds that the public's common law right of access is outweighed by the interests of the parties and third-party manufacturers in protecting against competitive and/or financial harm were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of the parties' requests to seal and a reasonable opportunity to object have been provided by the filing of their motions, and no objections have been filed with the court. Furthermore, the parties have narrowly tailored their requests to remove only information that is sensitive and confidential and not otherwise publicly known. Their motions are therefore allowed.

CONCLUSION

For the foregoing reasons, it is hereby ORDERED as follows:

1. Defendant's Motion to Seal [DE #479] is GRANTED.
2. Plaintiff's Motion to Seal [DE #516] is GRANTED.
3. The following documents shall be SEALED:
 - a. Defendant's Memorandum in Support of its Motion to Compel Discovery on the Adama/CSI Azoxystrobin [DE #467]. A redacted version is available at DE #517-3;
 - b. Declaration of Robert J. Scheffel [DE #468] and accompanying sealed exhibits [DE ##468-2 to 468-21]. Redacted versions of the Declaration and Exhibits 1-3, 5, 7-8, 11, 16-17, 20-21, and 24-25 are available at DE ##517-4, to 517-15.

This 20th day of September 2022.


KIMBERLY A. SWANK
United States Magistrate Judge